

90<sup>th</sup> Legislative Session – 2015

Committee: Senate State Affairs

Friday, February 06, 2015

P - Present  
E - Excused  
A - Absent

Roll Call

P Holien  
P Hunhoff (Bernie)  
P Lederman  
P Otten (Ernie)  
P Soholt  
P Solano  
P Sutton  
P Brown, Vice-Chair  
P Rave, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Tim Rave, Chair.

MOTION: TO APPROVE THE MINUTES OF FEB. 4, 2015

Moved by: Brown  
Second by: Holien  
Action: Prevailed by voice vote.

SB 1: finance improvements on the public highways and bridges by establishing or increasing the motor vehicle excise tax, taxes on fuel, motor vehicle registration fees, and wheel taxes, to provide for the distribution of certain revenue, and to establish certain state and local planning and reporting requirements concerning the condition of public highways and bridges.

Presented by: Senator Tim Rave  
Proponents: Nathan Sanderson, Governor's Office, Pierre  
Senator Mike Vehle  
Representative Dick Werner  
Jason Glodt, Roads Are Vital Coalition

David McGirr, Self  
Dick Howard, South Dakota Association of Towns and Townships  
Bob Wilcox, South Dakota Association of County Commissioners  
Opponents: Dawna Leitzke, SD Petroleum & Propane Marketers  
Steve Sibson, Self  
Matthew McCaulley, Alliance of Automobile Manufacturers

Others: Read from Register by Senator Brown as proponents to Bill and Amendment:

Mark Lee, Sioux Falls Area Chamber Of Commerce  
Deb Mortenson, Associated General Contractors of SD  
Michael Held, South Dakota Farm Bureau  
Julie Johnson, Advantage South Dakota  
Kitty Kinsman, Rapid City Chamber of Commerce  
Greg Vavra, Self, Wessington Springs  
Kathy Zander, South Dakota Agri- Business Association  
Shawn Lyons, SD Retailers Association  
Matt Krogman, Brookings Economic Development Corp.  
Yvonne Taylor, SD Municipal League

Rebuttal: Darin Berquist, Department of Transportation  
MOTION: AMEND SB 1

1fg

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. There is hereby created in the state treasury the local bridge improvement grant fund. Interest earned on money in the fund shall be deposited into the fund. Any money in the fund is continuously appropriated to the Department of Transportation. Any money deposited into and distributed from the fund shall set forth in an informational budget as described in § 4-7-7.2.

The Transportation Commission may award grants from the fund to any local government entity to construct, reconstruct, and repair bridges. The Transportation Commission shall consider the need for the project and funding mechanisms available to and utilized by the applicant when making a decision to award a grant. No county may receive a grant from the fund unless such county has adopted and annually updated its county highway and bridge improvement plan pursuant to the provisions of section 3 of this Act and has imposed a county wheel tax pursuant to § 32-5A-1.

Section 2. The Transportation Commission shall promulgate rules, pursuant to chapter 1-26, regarding the application process and timelines, the guidelines and criteria for approval of applications, and the distribution of funds from the local bridge improvement grant fund. The criteria for evaluating the projects may include the proximity of other bridges and culverts, alternative routes

available, structural deficiencies, functionality and use of the bridge or culvert, and project costs.

Section 3. The Transportation Commission shall promulgate rules, pursuant to chapter 1-26, to establish the requirements for a county highway and bridge improvement plan that details proposed county highway and bridge improvement projects in a county for the next five years. The rules shall provide for the format of the plan and the time by which an update of the plan must be submitted each year.

Section 4. That § 32-11-34 be amended to read as follows:

32-11-34. The local government highway and bridge fund is hereby created and appropriated for the use of counties, municipalities, and townships for the purposes of constructing and maintaining highways, streets, and bridges on their highway and street systems. Beginning on October 1, 2015, before each quarterly disbursement is made pursuant to § 32-11-35, the secretary of revenue shall transfer one million seven hundred fifty thousand dollars to the local bridge improvement grant fund created pursuant to section 1 of this Act.

Section 5. That § 32-5B-1 be amended to read as follows:

32-5B-1. In addition to all other license and registration fees for the use of the highways, a person shall pay an excise tax at the rate of ~~three~~ four percent on the purchase price of any motor vehicle, as defined by § 32-3-1 or 32-5B-21, purchased or acquired for use on the streets and highways of this state and required to be registered under the laws of this state. This tax shall be in lieu of any tax levied by chapters 10-45 and 10-46 on the sales of such vehicles. Failure to pay the full amount of excise tax is a Class 1 misdemeanor.

Section 6. That § 32-5B-1.4 be amended to read as follows:

32-5B-1.4. A licensed motor vehicle dealer who sells new motor vehicles and has a franchise for that particular motor vehicle may license a new motor vehicle which is part of ~~his~~ the dealer's inventory. If the dealer licenses the motor vehicle, ~~he~~ the dealer shall title the motor vehicle and pay the ~~three percent~~ excise tax imposed pursuant to § 32-5B-1 on the manufacturer's suggested dealer list price. The next purchaser ~~shall be~~ is exempt from the excise tax.

Section 7. That § 10-47B-4 be amended to read as follows:

10-47B-4. The fuel excise tax rates for the tax imposed by this chapter are as follows:

- (1) Motor fuel (except ethyl alcohol, methyl alcohol, biodiesel, biodiesel blends, and aviation gasoline)--~~\$.22 per gallon as provided pursuant to section 8 of this Act;~~
- (2) Special fuel (except jet fuel)--~~\$.22 per gallon as provided pursuant to section 8 of this Act;~~
- (3) Aviation gasoline--\$.06 per gallon;
- (4) Jet fuel--\$.04 per gallon;

- (5) Liquid petroleum gas--\$.20 per gallon;
- (6) Compressed natural gas--\$.10 per gallon;
- (7) Ethyl alcohol and methyl alcohol--~~\$.08 per gallon~~ as provided pursuant to section 9 of this Act;
- (8) Liquid natural gas--\$.14 per gallon; and
- (9) Biodiesel and biodiesel blends--as provided pursuant to section 8 of this Act, except when the conditions as provided in section 10 of this Act are met.

Section 8. That chapter 10-47B be amended by adding thereto a NEW SECTION to read as follows:

The fuel excise tax rate for motor fuel and special fuel is:

- (1) \$.24 per gallon from July 1, 2015, to June 30, 2016, inclusive;
- (2) \$.26 per gallon from July 1, 2016, to June 30, 2017, inclusive; and
- (3) Beginning on July 1, 2017, and on July first each year thereafter through June 30, 2030, the fuel excise tax rate shall increase by an additional \$.02 per gallon.

Section 9. That chapter 10-47B be amended by adding thereto a NEW SECTION to read as follows:

The fuel excise tax rate for ethyl alcohol and methyl alcohol fuel is:

- (1) \$.10 per gallon from July 1, 2015, to June 30, 2016, inclusive;
- (2) \$.12 per gallon from July 1, 2016, to June 30, 2017, inclusive; and
- (3) Beginning on July 1, 2017, and on July first of each year thereafter through June 30, 2030, the fuel excise tax rate shall increase by an additional \$.02 per gallon.

Section 10. The tax imposed by § 10-47B-4 on biodiesel or biodiesel blends shall be reduced by two cents per gallon in the quarter after biodiesel production facilities in South Dakota reach a name plate capacity of at least twenty million gallons per year and fully produce at least ten million gallons of biodiesel within one year as determined by the secretary of revenue. The secretary shall file a certification of the determination with the secretary of state and the Legislative Research Council as the means of determining the rate of tax applied by § 10-47B-4. The provisions of this section are repealed in the quarter after thirty-five million gallons of taxed biodiesel and biodiesel blended fuel are sold as determined by the secretary of revenue. The secretary shall file a certification of the determination with the secretary of state and the Legislative Research Council as the means of determining the effective date of the repeal of this section.

Section 11. That section 7 of chapter 64 of the 2014 Session Laws, section 12 of chapter 55 of the 2009 Session Laws, and sections 3, 5, and 6 of chapter 54 of the 2008 Session Laws be repealed.

Section 12. That § 32-5-6 be amended to read as follows:

32-5-6. License fees and compensation on a noncommercial motor vehicle which is an automobile, pickup truck, or van as provided by § 32-5-5, shall be determined by the manufacturer's shipping weight, including accessories, as follows:

- (1) Two thousand pounds or less, inclusive, ~~thirty~~ thirty-three dollars;
- (2) From 2,001 to 4,000 pounds, inclusive, ~~sixty~~ sixty-six dollars;
- (3) From 4,001 to 6,000 pounds, inclusive, ~~ninety~~ ninety-nine dollars; and
- (4) Over 6,000 pounds, ~~one hundred twenty~~ one hundred thirty-two dollars.

Section 13. That § 32-5-6.3 be amended to read as follows:

32-5-6.3. License fees on a noncommercial motor vehicle which is not an automobile, pickup truck, or van licensed pursuant to § 32-5-6 shall be determined by the gross weight of the motor vehicle as defined by subdivision 32-9-1(6), and based on the following:

- (1) Eight thousand pounds or less, inclusive, ~~one hundred~~ one hundred ten dollars;
- (2) For each additional 2,000 pounds or major fraction thereof from 8,001 to 20,000 pounds, inclusive, ~~ten~~ eleven dollars; and
- (3) For a vehicle in excess of 20,000 pounds, from July 1, 2015, to June 30, 2016, inclusive, the total license fee shall be sixty seventy percent of the total license fee established for commercial vehicles of equivalent weight pursuant to § 32-9-15. On and after July 1, 2016, the total license fee shall be eighty percent of the total license fee established for commercial vehicles of equivalent weight pursuant to § 32-9-15.

It is a Class 2 misdemeanor for a person to operate a motor vehicle licensed pursuant to this section at a gross weight in excess of the gross weight for which it has been licensed. If the owner chooses to lower the registered weight, the plate shall be returned along with any validation decal and a new plate issued with the correct registered weight.

Section 14. That § 32-5-6.1 be amended to read as follows:

32-5-6.1. License fees for any noncommercial motor home shall be determined by the manufacturer's shipping weight, including accessories, as follows:

- (1) Six thousand pounds or less, inclusive, ~~ninety~~ ninety-nine dollars;
- (2) From 6,001 to 8,000 pounds, inclusive, ~~one hundred twenty~~ one hundred thirty-two dollars;
- (3) From 8,001 to 10,000 pounds, inclusive, ~~one hundred fifty~~ one hundred sixty-five dollars; and
- (4) For each additional 2,000 pounds or major fraction thereof, in excess of 10,000 pounds, ~~thirty~~ thirty-three dollars.

For the purposes of this section, a motor home is a vehicle designed to provide temporary living

quarters for recreational, camping, or travel use, built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle.

Section 15. That § 32-5-8 be amended to read as follows:

32-5-8. License fees and compensation for any recreational vehicle as defined in § 32-3-1 or for any noncommercial trailer and semitrailer, for use of the highways payable ~~under~~ pursuant to § 32-5-5 and pulled by a noncommercial motor vehicle on which the license fees were paid pursuant to § 32-5-6, shall be determined upon the basis of their actual weight as follows:

- (1) One thousand pounds or less, inclusive, ~~fifteen~~ seventeen dollars;
- (2) From 1,001 to 2,000 pounds, inclusive, ~~thirty~~ thirty-three dollars;
- (3) From 2,001 to 3,000 pounds, inclusive, ~~forty-five~~ fifty dollars;
- (4) From 3,001 to 4,000 pounds, inclusive, ~~sixty~~ sixty-six dollars;
- (5) From 4,001 to 5,000 pounds, inclusive, ~~seventy-five~~ eighty-three dollars;
- (6) From 5,001 to 6,000 pounds, inclusive, ~~ninety~~ ninety-nine dollars;
- (7) From 6,001 to 7,000 pounds, inclusive, ~~one hundred five~~ one hundred sixteen dollars;
- (8) From 7,001 to 8,000 pounds, inclusive, ~~one hundred twenty~~ one hundred thirty-two dollars;
- (9) From 8,001 to 9,000 pounds, inclusive, ~~one hundred thirty-five~~ one hundred forty-nine dollars;
- (10) From 9,001 to 10,000 pounds, inclusive, ~~one hundred fifty~~ one hundred sixty-five dollars; and
- (11) For each additional 1,000 pounds or major fraction thereof, in excess of 10,000 pounds, ~~fifteen~~ seventeen dollars.

Any trailer or semitrailer licensed pursuant to this section may be pulled by a noncommercial motor vehicle licensed pursuant to § 32-5-8.1 or a commercially licensed motor vehicle if the motor vehicle is registered at a gross weight to cover the weight of the trailer and its load.

Section 16. That § 32-5-9 be amended to read as follows:

32-5-9. License fees and compensation for use of the highways payable ~~under~~ pursuant to § 32-5-5 ~~shall be: fourteen dollars and fifty cents for motorcycles with a~~ shall be determined by the piston displacement of less than three hundred fifty cubic centimeters ~~and seventeen dollars for motorcycles with a piston displacement of three hundred fifty cubic centimeters or more~~ as follows:

- (1) Less than three hundred fifty cubic centimeters, sixteen dollars;
- (2) Three hundred fifty to one thousand cubic centimeters, inclusive, nineteen dollars; and
- (3) Greater than one thousand cubic centimeters, twenty-two dollars.

Section 17. That § 32-6B-21 be amended to read as follows:

32-6B-21. The department shall issue metal numerical license plates to licensed dealers upon application and payment of a ~~eighty-four~~ ninety-two dollar yearly fee to be paid at the time of the annual review date for each set desired. The fees shall be distributed in the manner specified in §§ 32-11-2 and 32-11-4.1 to 32-11-9, inclusive. The license plates shall be numbered consecutively and shall bear as a prefix the number 77. The plates may be issued for a multiple year period. If a dealer's license is revoked or canceled or the dealer goes out of business the 77 plates shall be returned to the department. If any person operates a motor vehicle with 77 plates after the dealer license is revoked or canceled or after the dealer goes out of business, or if the person refuses to return the plates, the person is guilty of a Class 2 misdemeanor.

Section 18. That § 32-6B-23 be amended to read as follows:

32-6B-23. The department shall issue to any motorcycle dealer and trailer dealer licensed pursuant to this chapter metal number plates bearing a prefix of the letter "D" and containing a distinguishing identification number of the licensee. The dealer shall make application to the department for the plates and pay a fee of ~~twenty~~ twenty-two dollars for each plate. One license plate shall be displayed on the rear of any motorcycle, or trailer, semitrailer, or travel trailer, owned by the dealer while traveling on a public highway. Any vehicle owned by the licensed dealer and bearing the dealers' metal plate may be operated on the streets and highways of this state for any purpose, including demonstration by a prospective buyer. All money collected pursuant to this section shall be distributed in the manner specified in § 32-11-2 and §§ 32-11-4.1 to 32-11-9, inclusive.

Section 19. That § 32-6B-36.3 be amended to read as follows:

32-6B-36.3. The department shall issue metal numerical license plates to an auction agency upon application and payment of a ~~eighty-four~~ ninety-two dollar yearly fee to be paid at the time of the annual review date for each set desired. Such fees shall be distributed in the manner specified in §§ 32-11-2 and 32-11-4.1 to 32-11-9, inclusive. The license plates shall be numbered consecutively and shall bear as a prefix the number "99." The plates may be issued for a multiple year period. If an auction agency's license is revoked or canceled or the auction agency goes out of business, the "99" plates shall be returned to the department. If any person operates a motor vehicle with "99" plates after the auction agency's license is revoked or canceled or after the auction agency goes out of business, or if the person refuses to return the plates, the person is guilty of a Class 2 misdemeanor.

Section 20. That § 10-12-13 be amended to read as follows:

10-12-13. The board of county commissioners may levy an annual tax not to exceed one dollar and twenty cents per thousand dollars of taxable valuation as a reserve fund to be accumulated and used for the purpose of ~~matching federal aid grants which have or may hereafter become available maintaining, repairing, constructing, and reconstructing roads and bridges.~~ Moneys in the fund may be expended ~~in cooperation with the federal government~~ in the laying out, marking, maintaining, constructing, and reconstructing roads and maintaining, constructing, and reconstructing bridges, under the jurisdiction of the board of county commissioners. The tax levy shall be in addition to all

other levies authorized to be made by the board of county commissioners for road and bridge purposes provided for in § 10-12-21. The proceeds of such levy shall be placed in a special fund to be known as the "county highway and bridge reserve fund." Any tax levy imposed pursuant to this section is exempt from the tax limitations imposed on a county pursuant to chapter 10-13.

Notwithstanding any other provision of law, any action by the board of county commissioners to authorize a tax levy pursuant to this section is subject to the referendum process in accordance with chapter 7-18A.

Section 21. The voters of an organized civil township at the annual township meeting may authorize an annual property tax levy not to exceed fifty cents per thousand dollars of the taxable valuation of the township for the secondary road capital improvement fund for projects and purposes as defined in section 22 of this Act. The secondary road capital improvement tax levy authorized by this section is in addition to the levies authorized in §§ 10-12-28 and 31-13-22. Any tax levy imposed pursuant to this section is exempt from the tax limitations imposed on a township pursuant to chapter 10-13.

Section 22. The township board of supervisors may establish a secondary road capital improvement fund for the purpose of constructing, reconstructing, repairing, and maintaining secondary roads, bridges, and culverts under the jurisdiction of the township board of supervisors.

Section 23. That chapter 31-2 be amended by adding thereto a NEW SECTION to read as follows:

The Department of Transportation shall establish performance standards designed to measure the overall condition of the highways and bridges on the state highway system, along with establishing ten-year goals for maintenance of these conditions. When establishing appropriate performance standards, the department may include nationally established standards and measurements required to be reported to the United States Department of Transportation.

The department shall, before the fourth Tuesday in January of each year, report to the Senate and House standing committees on transportation on the current and projected condition of the highways and bridges on the state trunk highway system. This report shall include progress on meeting the ten-year goals for condition of the state highway system. If the projections show the ten-year goals will not be met, the department shall report the estimated amount of additional funding needed to achieve the goals."

Moved by: Otten (Ernie)  
Second by: Holien  
Action: Prevailed by voice vote.

MOTION: AMEND SB 1



1fi

On the previous amendment, (1fg), in Section 8, subdivision (3), delete "2030" and insert "2023".

On the previous amendment, (1fg), in Section 9, subdivision (3), delete "2030" and insert "2023".

Moved by: Sutton  
Second by: Rave  
Action: Prevailed by voice vote.

MOTION: AMEND SB 1

1fj

On the previous amendment, (1fg), in Section 13, subdivision (3), delete "eighty" and insert "seventy-five".

Moved by: Sutton  
Second by: Rave  
Action: Prevailed by voice vote.

MOTION: AMEND SB 1

1fc

On the previous amendment, (1fg), after the last paragraph, insert:

" Section 24. That § 32-5A-1 be amended to read as follows:

32-5A-1. ~~Any~~ Each county may, by ordinance, impose a wheel tax on all motor vehicles, as defined in § 32-3-1, registered in the county at a rate not to exceed four dollars per vehicle wheel. The tax shall be administered and collected by the county. The total vehicle tax may not exceed ~~sixteen~~ forty-eight dollars per vehicle."

Moved by: Otten (Ernie)  
Second by: Rave  
Action: Prevailed by voice vote.

MOTION: AMEND SB 1

1fb

On the previous amendment, (1fg), after the last paragraph, insert:

" Section 24. Beginning on July 1, 2016, and on July first each year thereafter until July 1, 2030, the motor vehicle registration fee provided in § 32-5-6, subdivision 32-5-6.3(1), subdivisions 32-5-6.1(1), (2), and (3), subdivisions 32-5-8(1) to (10), inclusive, § 32-5-9, § 32-6B-21, § 32-6B-23, and § 32-6B-36.3 shall be increased by:

- (1) One dollar, if the fee is less than seventy-five dollars;
- (2) Two dollars, if the fee is seventy-five dollars to one hundred fifty dollars, inclusive; and
- (3) Three dollars, if the fee is greater than one hundred fifty dollars."

Moved by: Sutton  
Second by: Rave  
Action: Prevailed by voice vote.

MOTION: AMEND SB 1

1oa

On the previous amendment, (1fb), delete "2030" and insert "2023".

Moved by: Rave  
Second by: Otten (Ernie)  
Action: Prevailed by voice vote.

MOTION: AMEND SB 1

1fd

On the previous amendment, (1fg), after the last paragraph, insert:

" Section 24. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as follows:

In addition to the license fees paid pursuant to the provisions of this chapter for a motor vehicle, the owner of an electric vehicle shall pay a fee in the amount of eighty dollars and a hybrid vehicle shall pay a fee in the amount of forty dollars.

For the purposes of this section, the term, electric motor vehicle, means a motor vehicle that is propelled to a significant extent by an electric motor which draws electricity from a battery that is capable of being recharged from an external source of electricity and that may be legally operated on the interstate highways in this state and that is eligible for registration pursuant to the general laws of this state. The electric vehicle shall have been made by a manufacturer primarily for use on public streets, roads, and highways and meets National Highway Traffic Safety Administration standards included in 49 C.F.R. § 571 as of January 1, 2015.

For the purposes of this section, the term, hybrid vehicle, means a motor vehicle with a hybrid propulsion system that uses an alternative fuel by operating on both an alternative fuel, including electricity, and a traditional fuel and shall also display such motor vehicle's United States Environmental Protection Agency highway combined fuel economy rating of forty-five miles per gallon or more.

Section 25. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as follows:

The county treasurer shall remit to the department the registration fees collected pursuant to section 24 of this Act. The fees shall be deposited in the state treasury and credited to the state highway fund."

Moved by: Holien  
Second by: Otten (Ernie)  
Action: Failed by voice vote.

MOTION: DO PASS SB 1 AS AMENDED

Moved by: Rave  
Second by: Holien  
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Holien, Hunhoff (Bernie), Lederman, Otten (Ernie), Soholt, Solano, Sutton, Brown, Rave

MOTION: AMEND TITLE OF SB 1

1fta

On page 1, line 1, of the printed bill, delete everything after "to" and insert "revise certain taxes and fees to fund improvements to public roads and bridges in South Dakota."

On page 1, delete lines 2 to 5, inclusive.

Moved by: Rave  
Second by: Sutton  
Action: Prevailed by voice vote.

HB 1004: authorize the direct sale of distilled spirits from artisan distillers to retailers and wholesalers.

Presented by: Representative Roger Solum  
Proponents: Patrick Rounds, Dakota Spirits Distillery  
Mike Lewis, Black Hills Dakota Distillery  
Jeremiah Murphy, Republic National Distributing Company  
Opponents: Bob Riter, SD Beer Distributors

MOTION: MOTION AMEND HB 1004

1004ob

On page 1, line 8, of the printed bill, after "distiller" insert "who does not distribute, in total, an amount in excess of fifty thousand gallons in a calendar year and who is".

On page 1, line 12, after "." insert "This exemption to the three-tier system is authorized for a period of ten years from enactment, or the distiller's initial sale of any spirits under this license, whichever is later.".

Moved by: Lederman  
Second by: Holien  
Action: Failed by roll call vote. (3-6-0-0)

Voting Yes: Holien, Lederman, Solano

Voting No: Hunhoff (Bernie), Otten (Ernie), Soholt, Sutton, Brown, Rave

MOTION: DO PASS HB 1004

Moved by: Brown  
Second by: Soholt  
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Holien, Hunhoff (Bernie), Lederman, Otten (Ernie), Soholt, Solano, Sutton, Brown, Rave

HJR 1001: Making formal application to Congress to call an Article V convention of the states for the sole purpose of proposing a federal balanced budget amendment.

Presented by: Senator Ernie Otten  
Proponents: Representative Jim Stalzer  
Representative Isaac Latterell  
Lindsey Riter-Rapp, National Federation of Independent Business  
Opponents: Terri Jorgenson, Concerned Women For America  
Robert Brown, Self, telephonic  
Michael Boyle, Parkston, Self  
Joy Smolnisky, SD Budget & Policy Institute, telephonic  
Eldon Stahl, Mitchell, Self

Rebuttal: Senator Ernie Otten

MOTION: DO PASS HJR 1001

Moved by: Otten (Ernie)  
Second by: Lederman  
Action: Prevailed by roll call vote. (5-3-1-0)

Voting Yes: Holien, Lederman, Otten (Ernie), Solano, Brown

Voting No: Hunhoff (Bernie), Soholt, Sutton

Excused: Rave

HB 1069: limit the authority of delegates to a limited Article V convention to vote for unauthorized amendments contrary to legislative instructions and to provide a civil fine for the violation thereof.

Presented by: Senator Ernie Otten  
Proponents: Representative Jim Stalzer  
Representative Isaac Latterell  
Lindsey Riter-Rapp, National Federation of Independent Business  
Opponents: Terri Jorgenson, Concerned Women For America  
Robert Brown, Self, telephonic  
Michael Boyle, Parkston, self  
Eldon Stahl, Mitchel, Self  
Joy Smolnisky, SD Budget & Policy Institute, telephonic  
Rebuttal: Senator Ernie Otten

MOTION: DO PASS HB 1069

Moved by: Otten (Ernie)  
Second by: Lederman  
Action: Prevailed by roll call vote. (8-0-1-0)

Voting Yes: Holien, Hunhoff (Bernie), Lederman, Otten (Ernie), Soholt, Solano, Sutton, Brown

Excused: Rave

THE CHAIR DEFERRED HB 1001 UNTIL MONDAY, FEB. 9, 2015

SB 166: revise the method used to calculate the petition signatures to place initiated measures on the ballot and to declare an emergency.

Presented by: Senator Corey Brown

MOTION: TO TABLE SB 166

Moved by: Otten (Ernie)  
Second by: Holien  
Action: Prevailed by roll call vote. (8-0-1-0)

Voting Yes: Holien, Hunhoff (Bernie), Lederman, Otten (Ernie), Soholt, Solano, Sutton, Brown

Excused: Rave

MOTION: ADJOURN

Moved by: Brown  
Second by: Holien  
Action: Prevailed by voice vote.

Theresa Riggs  
Committee Secretary

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Tim Rave, Chair